

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

DAN FLYNN and AMBER FLYNN,

Plaintiffs,

-vs-

Case No. 05-73850  
HON. AVERN COHN

OAKLAND COUNTY; MICHAEL BOUCHARD;  
MICHAEL McCABE; MARK VENUS;  
CLAY JANNSON; JEFF CROCKETT;  
JAMES AHEARN; ROBERT CAIN;  
GORDON PIZZINI; DAMON SHEILDS;  
DIRK FINDLAY; MARTIN BAY and  
DOUGLAS MOLINAR,  
in their individual and official capacities,

Defendants.

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**ORDER GRANTING PLAINTIFFS' MOTION FOR RECONSIDERATION**  
**AND**  
**VACATING DISMISSAL OF OAKLAND COUNTY AS A DEFENDANT**  
**AND**  
**VACATING STAY OF PROCEEDINGS**

This is an employment case. On February 9, 2009, the Court entered an order (Dkt.

# 88) styled:

Order (1) Requiring Additional Filings by Plaintiff; (2)  
Dismissing Count IV Against Oakland County; (3) Staying  
Further Proceedings

Plaintiffs have filed a motion for reconsideration of the dismissal of Oakland County as a defendant. The Court erred in dismissing Oakland County, sua sponte. Accordingly, plaintiffs' motion is GRANTED. The dismissal of Oakland County as a defendant is VACATED.

The additional filings required of plaintiffs have been filed and/or lodged with the Court. Accordingly, the stay is VACATED; proceedings on defendants' motion for summary judgment shall go forward.

SO ORDERED.

S/Avern Cohn  
AVERN COHN  
UNITED STATES DISTRICT JUDGE

Dated: February 26, 2009

I hereby certify that a copy of the foregoing document was mailed to the attorneys of record on this date, February 26, 2009, by electronic and/or ordinary mail.

S/Julie Owens  
Case Manager, (313) 234-5160